

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATE OF AMERICA

v.

ANDREW SINCLAIR / B4B EARTH TEA  
LLC / B4B CORP

§

Case No. 22-CV-1159

§

**FIRST SET OF REQUESTS FOR ADMISSION RESPONSE #2**

REQUEST NO. 1: All documents relating to claims or statements about any health, wellness, or safety-related effects, benefits or characteristics of B4B Earth Tea, including, but not limited to, email communications, text messages, Telegram, WhatsApp, or other messages, website communications, including on b4bearthteallc.com and b4bcorp.com, and social media posts on any platform, including, but not limited to, Facebook, TikTok, Twitter, YouTube, and Instagram.

RESPONSE TO NO. 1: I object the request is overly broad, unduly burdensome and vague. In addition all communications between consumers and Andrew Sinclair are confidential. Plaintiff should request specific consumers who filed reports to the Plaintiff as stated in their accusations and public slander

REQUEST NO. 2: All documents relating to the effectiveness of B4B Earth Tea against COVID-19.

RESPONSE TO NO. 2: I object. The request is overly broad, vague and unduly burdensome. Witnesses were submitted to the plaintiff with the initial disclosures currently in the Plaintiff's possession and chosen witness to be submitted to the Court. Earth Tea Clinical trial is available for download on Defendant's website, the plaintiff submitted this trial as exhibit for admission. That is the only Covid19 trial that was done to date. Covid-19 test results and sworn statements will be submitted as evidence, If Plaintiff is suggesting Earth Tea Extra Strength is ineffective against Covid-19, Plaintiff should request

specific consumers invoices who reported that Earth Tea was ineffective.

REQUEST NO. 3: All documents relating to the effectiveness of B4B Earth Tea against any disease, ailment, or health condition other than COVID-19.

RESPONSE TO NO. 3: I object. The request is overly broad and vague. Witnesses were submitted to plaintiff with initial disclosures currently in plaintiff's possession. Please note all sales and conversations are confidential. All documents would be unduly burdensome, since consumers are not associated with Defendant or apart of a trial. Information consumers share with Defendant are confidential. Witness who decided to participate will submit sworn statements and test results that will be submitted to the court as evidence. If the plaintiff is referring to specific case where the Plaintiff did research or test and proved a post of publication is false plaintiff may request that specific document. To request all documents is vague and unduly burdensome.

REQUEST NO. 4: All documents relating to the clinical trial of B4B Earth Tea conducted in India.

RESPONSE TO NO. 4: I object. The request is overly broad, vague and unduly burdensome, The Plaintiff publicly stated my Clinical trial is fake, Plaintiff should present to the Court evidence that proves their accusations and public slander. B4B Earth Tea Clinical Trial is available on our website and the plaintiff submitted a copy in their admissions request. The Plaintiff is also the FDA who has access to India's clinical trial registry department.

REQUEST NO. 5: All documents relating to any other trials, tests, or studies conducted, planned, or considered regarding B4B Earth Tea.

RESPONSE TO NO. 5: I object. The request is overly broad, unduly burdensome and vague. Future plans are irrelevant to the current case.

REQUEST NO. 6: All documents relating to the Journal of Pharmaceutical Negative Results article titled "An Open Label, Multicentre, Multi-Dose, Single Arm Treatment Clinical Trial To Determine The Safety And Efficacy Of New

Natural Health Drink Of Earth Tea In Human Adult, Patients With Mild Covid-19.”

RESPONSE TO NO. 6: I object. The request is overly broad or unduly burdensome. All documents related to Earth Tea Clinical trial is available on Defendant's website with the option to download. Plaintiff also has a copy of this requested trial.

REQUEST NO. 7: All documents relating to sales of B4B Earth Tea.

RESPONSE TO NO. 7: I object. The request is overly broad or unduly burdensome. All sales are confidential. Plaintiff should request specific sales orders that support Plaintiff's accusations instead of broadly requesting "All" sale documents. While the case is still active and the judge have not issued a verdict. I the Defendant upholds the right to deny document requests that's not specific to the accusations, there's no request by any customers for refund therefore Plaintiff should request specific orders by those whom reported or contacted the Plaintiff.

REQUEST NO. 8: All documents relating to the shipment, delivery, or distribution of B4B Earth Tea.

RESPONSE TO NO. 8: I object. The request is overly broad, vague and unduly burdensome, the request all shipment before a verdict is reached by the court is overreaching of information before the Judge reaches a verdict, providing “All” shipment would be sharing confidential information, as stated all sales are confidential. If there’s specific order that was reported please provide that order number from the consumer who contacted the Plaintiff

REQUEST NO. 9: All documents relating to the shipping costs charged to consumers for shipping B4B Earth Tea, regardless of whether they paid for the product.

RESPONSE TO NO. 9: I object. The request is overly broad, vague, and is irrelevant to the case before the Judge reaches a verdict. Shipping cost **whether a product is not paid for** is irrelevant to this case. Paid shipping

can be seen on customer's invoice. If the rate that was charge is in question please note that at no time shipping was overcharged, next day shipping is expensive, and at times Defendant paid extra and did not pass the extra charges to consumer.

REQUEST NO. 10: All documents relating to receipt of ingredients for B4B Earth Tea.

RESPONSE TO NO. 10: I object to each request to the extent that it seeks confidential, proprietary, or trade secrets information from me, protected by federal trade secret laws. This request is also irrelevant to the case in addition the companies do not have any rights to Andrew Sinclair's trade secret

REQUEST NO. 11: All documents relating to the income of Andrew Martin Sinclair from the sale of B4B Earth Tea, including, but not limited to all amounts charged per bottle, all costs of raw materials, production, and other expenses, all income and profits from each sale of B4B Earth Tea, and all income and profits from all sales of B4B Earth Tea.

RESPONSE TO NO. 11: I object. The request is overly broad, vague and unduly burdensome, and irrelevant to the accusations brought forward in this case. The request for all income should be requested after a verdict is reached.

REQUEST NO. 12: All documents relating to the income of B4B Earth Tea LLC from the sale of B4B Earth Tea.

RESPONSE TO NO.12: I object. The request is overly broad, vague and unduly burdensome before a verdict is reached. All questions regarding income should be requested after a ruling is granted in the Plaintiff's favor.

REQUEST NO. 13: All documents relating to the income of B4B Corp. from the sale of B4B Earth Tea.

RESPONSE TO NO. 13: I object. Until a Verdict is reached this request is irrelevant.

REQUEST TO NO. 14: All documents relating to the income of any other person or entity from the sale of B4B Earth Tea.

RESPONSE TO NO. 14: I object. The request is overly broad or unduly burdensome. Until a Verdict is reached this request is irrelevant to the case. Furthermore B4B Earth Tea does not have employees.

REQUEST NO. 15: All documents relating to the cost of producing B4B Earth Tea.

RESPONSE TO NO. 15: I object. The request is vague; until a Verdict is reached this request is irrelevant to the case. The cost of Defendants product is completely irrelevant. The Plaintiff the United States cannot dictate the retail price of Defendant's products. B4B Earth Tea is owned and operated by Andrew Sinclair, the Plaintiff is not an owner or investor and further more no investor exist. The cost of Defendant's product is completely irrelevant.

REQUEST NO. 16: All communications with customers, potential customers, and other consumers or members of the public about B4B Earth Tea.

RESPONSE TO NO. 16: I object. Until a Verdict is reached this request is irrelevant to the case. Potential customers are irrelevant to this active case.

REQUEST NO. 17: All communications with the Federal Trade Commission relating to B4B Earth Tea.

RESPONSE TO NO. 17: I object. The request is overly broad or burdensome, until a Verdict is reached. If plaintiff have relevant communications plaintiff may present it to the court as evidence to support accusations, the requested communications specifically FTC is the Plaintiff. The FTC contacted me, they should have all emails that was sent and received.

REQUEST NO. 18: All communications with the Food and Drug Administration relating to B4B Earth Tea.

RESPONSE TO NO. 18: I object. The request is overly broad or unduly burdensome, until a Verdict is reached. If plaintiff have relevant communications plaintiff may present it to the court as evidence to support accusations, the requested communications specifically FDA is the Plaintiff. No change

REQUEST NO. 19: All communications with the U.S. Department of Justice relating to B4B Earth Tea.

RESPONSE TO NO. 19: I object. The request is overly broad or unduly burdensome, until a Verdict is reached. If plaintiff have relevant communications plaintiff may present it to the court as evidence to support accusations, the requested communications specifically DOJ is the Plaintiff no change

REQUEST NO. 20: All communications with any other person, including state, local, or federal government representatives, regarding B4B Earth Tea.

RESPONSE TO NO. 20: I object. Until a Verdict is reached this request is irrelevant to the case. This request is completely irrelevant to this case.

REQUEST NO. 21: All documents relating to complaints regarding B4B Earth Tea, including, but not limited to, complaints from consumers, customers, or health care professionals.

RESPONSE TO NO. 21: I object. The request is overly broad, vague. Nevertheless there are no known complaints on record.

REQUEST NO. 22: All documents relating to requests for refunds regarding B4B Earth Tea.

RESPONSE TO NO. 22: I object. The request is overly broad. Nevertheless there's no refund request on record.

REQUEST NO. 23: All documents relating to the creation, ownership, control, and operation of B4B Earth Tea LLC.

RESPONSE TO NO. 23: I object. The request is overly broad, vague and unduly burdensome, until a Verdict is reached this request is irrelevant to the case. Andrew Sinclair is the only owner; control and operation questions are irrelevant to this case and will not be shared or relevant to share with anyone.

REQUEST NO. 24: All documents relating to the creation, ownership, control, and operation of B4B Corporation.

RESPONSE TO NO. 24: I object. The request is overly broad, vague and unduly burdensome, until a Verdict is reached this request is irrelevant to the case.

REQUEST NO. 25: Documents sufficient to identify the sources and dollar value of all your income for each year from 2019 to the present.

RESPONSE TO NO. 25: I object. The request is overly broad, vague and unduly burdensome, until a Verdict is reached this request is irrelevant to the case. This request is completely irrelevant to this case.

REQUEST NO. 26: All documents reflecting or relating to lawsuits or litigation or threatened lawsuits or litigation against you, B4B Earth Tea LLC, or B4B Corporation.

RESPONSE TO NO. 26: I object. The request is overly broad and vague, this request is irrelevant to the case. Nevertheless the only lawsuit is the active lawsuit at the Eastern district court of New York by the Plaintiff who submitted this request for documents. Case number 22-CV-1159 No other lawsuit is pending or have had a verdict

I declare under penalty of perjury that the foregoing is correct and true

Respectfully submitted

/s/ Andrew Sinclair  
ANDREW SINCLAIR  
Defendant

Date: November 17, 2023  
Case No. 22-CV-1159